

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA

UNCLAS STATE 161398

E.O. 11652: N/A

TAGS: SENV, CA

SUBJECT: GULF OF MAINE DRILLING

1. FOLLOWING IS THE TEXT OF AN AIDE-MEMOIRE GIVEN THE
CANADIAN EMBASSY ON 7/7/77.

BEGIN TEXT -- THE DEPARTMENT OF STATE REFERS TO THE EMBASSY
OF CANADA'S AIDE-MEMOIRE OF MAY 26, 1977.

THE GOVERNMENT OF THE UNITED STATES CANNOT CONCUR IN THE
VIEW EXPRESSED IN THAT AIDE-MEMOIRE THAT IN THE ABSENCE
OF AGREEMENT ON MARITIME BOUNDARIES THE UNITED STATES
SHOULD REFRAIN FROM AUTHORIZING EXPLORATION AND
EXPLOITATION OF THE RESOURCES OF THE CONTINENTAL SHELF
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IN ALL AREAS WHERE THE GOVERNMENT OF CANADA NOW STATES
THAT IT RESERVES RIGHTS.

THE UNITED STATES GOVERNMENT AGREED ON NOVEMBER 4, 1976,
THAT BOTH COUNTRIES WOULD AVOID STEPS FOR THE TIME BEING
RELATING TO THE DEVELOPMENT OF NON-LIVING RESOURCES IN THE
BOUNDARY AREAS BETWEEN THE UNITED STATES AND CANADA WHICH

COULD PREJUDICE NEGOTIATION OF A BOUNDARY SETTLEMENT. TO IMPLEMENT THIS DECISION, THE DEPARTMENT OF THE INTERIOR ON DECEMBER 7, 1976, WITHDREW 28 TRACTS IN THE DISPUTED AREA OF THE GULF OF MAINE FROM ITS PROPOSED 1977 NORTH ATLANTIC OUTER CONTINENTAL SHELF OIL AND GAS LEASE SALE. ALL OF THE REMAINING SITES SCHEDULED FOR TEST DRILLING AND THE TRACTS PROGRAMMED FOR LEASE SALE IN THE GULF OF MAINE AREA IN THE LATTER PART OF 1977 ARE LOCATED NOT IN A BOUNDARY AREA, BUT OUTSIDE OF THE AREA CLAIMED BY THE GOVERNMENT OF CANADA WHICH HAS BEEN THE SUBJECT OF DISCUSSIONS AND NEGOTIATIONS BETWEEN THE TWO GOVERNMENTS FOR THE PAST SEVERAL YEARS. IN THE VIEW OF THE UNITED STATES GOVERNMENT, ITS OUTER CONTINENTAL SHELF PROGRAM IS ENTIRELY CONSISTENT WITH ITS STATED POSITION ON THE DELIMITATION OF MARITIME BOUNDARIES.

THE GOVERNMENT OF THE UNITED STATES UNDERSTANDS FROM THE EMBASSY OF CANADA'S NOTE NUMBER 626 OF DECEMBER 22, 1976, THAT THE GOVERNMENT OF CANADA NOW RESERVES THE RIGHT TO ASSERT A POSSIBLE INTEREST IN OTHER AREAS UNDER THE JURISDICTION OF THE UNITED STATES OF AMERICA. THE UNITED STATES GOVERNMENT CANNOT BE EXPECTED TO LEND CREDENCE TO THESE "RESERVATIONS" WHICH IN OUR VIEW HAVE NO BASIS IN LAW OR FACT, BY WITHHOLDING, AS SUGGESTED IN THE EMBASSY'S AIDE-MEMOIRE OF MAY 26, LEGITIMATE ACTIONS OF NATIONAL IMPORTANCE IN THESE AREAS OF U.S. JURISDICTION.

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THE GOVERNMENT OF THE UNITED STATES REMAINS COMMITTED TO A MUTUALLY ACCEPTABLE SETTLEMENT OF UNITED STATES-CANADA MARITIME BOUNDARIES AND BELIEVES THAT BOTH GOVERNMENTS SHOULD REFRAIN FROM ACTIONS WHICH MAKE SETTLEMENT MORE DIFFICULT. HOWEVER, THE ACTIONS TO BE TAKEN IN CONNECTION WITH THE PLANNED LEASE SALE IN THIS AREA LATER THIS YEAR WILL TAKE PLACE ONLY IN AREAS SUBJECT TO UNITED STATES JURISDICTION AND NOT AFFECTED BY A MARITIME BOUNDARY SETTLEMENT. ACCORDINGLY, THE GOVERNMENT OF THE UNITED STATES BELIEVES THAT THESE ACTIONS WILL NOT ADD TO THE COMPLEXITY OF CONTINUING NEGOTIATIONS ON MARITIME BOUNDARIES. -- END TEXT. VANCE

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